

DOCKET NO.: 247841US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
Atsushi NOSE, et al. : EXAMINER: KRASNIC, B.  
SERIAL NO: 10/760,674 :  
FILED: JANUARY 21, 2004 : GROUP ART UNIT: 2624  
FOR: IMAGE PROCESSING METHOD, :  
IMAGE PROCESSING  
APPARATUS AND IMAGE  
PICKUP APPARATUS AND  
DISPLAY APPARATUS  
SUITABLE FOR THE  
APPLICATION OF IMAGE  
PROCESSING METHOD

PROVISIONAL RESPONSE TO ELECTION REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Election Requirement stated in the Official Action dated July 17, 2007, Applicants in the above-identified patent application provisionally elect, with traverse, Species I, Claims 2, 5, 9, 12, 16, 19, 23, and 26, and Claims 1, 8, 15, and 22, which the Official Action states are generic to all species.

The Election Requirement asserts that the application contains claims to distinct inventions. However, MPEP §803 states the following:

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

Application Serial No.: 10/760,674  
Response to Election Requirement dated July 17, 2007

The claims of the present invention would appear to be of an overlapping search area. Accordingly, Applicants respectfully **traverse** the Election Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

However, if the present Election Requirement is not withdrawn, examination on the merits of the claims of Species I, and Claims 1, 8, 15, and 22 is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAJER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "R. Lytle".

Bradley D. Lytle  
Registration No. 40,073  
Attorney of Record

Remus F. Fetea, Ph.D.  
Registration No. 59,140

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/01)

BDL:RFF:brf

I:\atty\BRE\24s\247841US\247841US-Election.doc